

Application serial No. 10/711,777
SUNG
Examiner: BRITTAIN, JAMES R
Art Unit: 3677

Applicant: CHAN-CHUN

REMARKS

Present Status of the Application

Claims 1-7 are pending in the present invention of which claims 1, 3 and 5 have been amended to more explicitly describe the claimed invention. Amendments to claims 1, 3 and 5 are also fully supported at FIG. 2 through FIG. 5. Furthermore, the Abstract and the Specification have been amended to correct minor informalities. Therefore, it is believed that no new matter has been added by way of amendments made to claims, specification or otherwise to the application.

For at least the following reasons, Applicant respectfully submits that claims 1-7 are in proper condition for allowance and reconsideration of this application is respectfully requested.

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Objections to Specification

The Office Action objected to the specification because the term —buckling— on line 2 is misspelled; and because the term —buckling— “stripes” found in paragraph 4 is unclear. Additionally, it is noted that applicant is utilizing the improper use of square brackets to designate paragraphs. The paragraphs should be numbered within square brackets simply with numerals such as [0001], [0002], etc. Additionally, the last paragraph lacks a paragraph number. A proper substitute specification properly designating the paragraphs using appropriate notation is required. Correction is required.

In response thereto, Applicant would like to thank the Examiner for pointing out the informalities and accordingly amended the specification to correct some minor typographical errors as shown above in order to overcome the Examiner's objections set forth above.

Regarding the numbering of the paragraphs within the square brackets, Applicant respectfully submit that the specification was been prepared using the ABX 1.2 version software provided by the USPTO and then filed/submitted to the USPTO via Electronic Filing System (epave software). Therefore, Applicant respectfully submits that the numbering of the paragraphs within the square brackets, for example, [Para 1], Para 2]... etc., were being authored by the ABX 1.2 software, is accordingly presumed to be a correct paragraphs numbering format accepted by the USPTO. Reconsideration is respectfully requested.

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Objections to Claims

The Office Action objected claims 1, 3 and 5 because the term "buckling" is misspelled on line 2 of each claim. The dependent claims are objected to because they depend from objected claims. Appropriate correction is required.

In response thereto, Applicant would like to thank the Examiner for pointing out the informalities and accordingly corrected the term "bucking" to correctly spell as -- buckling-- in claims 1, 3 and 5 as shown above. Reconsideration is respectfully requested.

Claim Rejections under 35 USC 102

The Office Action rejected claims 1-5 under 35 U.S.C. 102(b) as being anticipated by Lerra et al. (US-6,226,844, hereinafter Lerra).

Applicant respectfully disagrees and traverses the above rejections as set forth below.

The present invention is generally directed to a rotary buckle. The amended proposed independent claim 1, among other things, recites at least *[a female buckling element, comprising an opening formed in a top surface thereof and a buckling portion communicating with said opening, wherein a side opposite to said opening comprises a receiving chamber; and a male buckling element, comprising a fitting portion for fitting into said opening of said female buckling element]*. The advantage of the above feature is that at least the buckle can be easily buckled and also provides comfort to wearer.

Instead Lerra, at Figure 4, and related text at col. 4, line 51 to col. 5, line 29, substantially discloses the standardized buckle assembly 30 includes female buckle component

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32 and male buckle component 34, wherein the male buckle component 34 is constructed for releasable engagement with the female buckle component 32 in the manner described above with reference to FIGS. 1, 1A and 4, i.e. the male and female buckle components are of the "side release" type. Each of the buckle components 32, 34, includes a module-receiving structure 36a, 36b. The two module-receiving structures are identical, so that they are constructed to receive modular components that have the same engagement structure. Each module-receiving structure includes an open end 38, opposed side walls 40, each including a lip 42, and a central formation 44 that defines lips 45 at the sides facing the respective side walls. In other words, it is clear that Lerra substantially fails to teach or disclose at least *[a female buckling element, comprising an opening formed on a top surface thereof and a buckling portion communicating with said opening, wherein a side opposite to said opening comprises a receiving chamber; and a male buckling element, comprising a fitting portion for fitting into said opening of said female buckling element]* as recited by the amended proposed independent claim 1, instead substantially teaches that the opening (module receiving structure of female buckle component 32) is formed on the sidewalls thereof and the male buckle component 34 is constructed for releasable engagement with the opening (module receiving structure of female buckle component 32) (FIG. 4, 8 and 10). Thus, the structure of the buckle of Lerra is substantially different from that of the claimed invention.

Therefore, it is clear that Lerra cannot possibly anticipate the amended proposed independent claim 1 in this regard.

Furthermore, Applicant respectfully submits that the feature *[wherein said receiving chamber of said female buckling element can rotate up to 90 degrees]* recited in claim 2 further distinguishes the claimed invention from the buckle of Lerra.

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The advantage of this feature is that at least it could provide comfort to the wearer. In contrast, as clearly shown in FIG. 8, Lerra substantially teaches that the modular component 31 slides through the opening 105 and is in positioned therein, and when the modular component 31 is positioned in the opening 105, the modular component cannot be rotated within the opening 105 and the circumferential length of the modular component 31 is substantially same as that of the opening 105. Therefore, Lerra cannot possibly anticipate claim 2 in this regard as well. Thus, the structure of the buckle of Lerra is substantially different from that of the claimed invention.

Because the remaining amended proposed independent claims 3 and 5 also recite features similar to those recited in the amended proposed independent claim 1, and therefore, the amended proposed independent claims 3 and 5 also patently define over Lerra for at least the same reasons discussed above.

Furthermore, because claims 4 and 6-7, which depend from the amended proposed independent claims 3 and 5 respectively, also recite features that are similar to claim 2, and therefore claims 4 and 6-7 also patentable over Lerra for at least the same reasons discussed above.

For at least the foregoing reasons, Applicant respectfully submits that claims 1-7 patently define over Lerra and therefore should be allowed. Reconsideration and withdrawal of these rejections is respectfully requested.

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CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 1-7 of the present application are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted

Nobuo Onoyama
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ONUYAMA NOBUO
General Manager
Taiwan Industrial Fastener Corporation
P. O. BOX 108-00403,
Taipei, Taiwan
Tel: +886-2-8771-8948
Fax: +886-2-8771-9757
E-mail: foreign@yc-patent.com